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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,386	09/15/2004	Christopher J. Mills	04-0567	5385

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EXAMINER

MAYLE, EDWARD J

ART UNIT	PAPER NUMBER
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3644

DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/711,386	Applicant(s) MILLS ET AL.	
	Examiner Edward J. Mayle	Art Unit 3644	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on amendments of 09/20/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) 2,3 and 18-40 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 41 and 42 is/are allowed.
- 6) ☐ Claim(s) 1,5-8,12,14-17 is/are rejected.
- 7) ☒ Claim(s) 4,9-11 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 5-6, 8, 12, and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Greiss (U.S. Patent 4,055,317).

3. With regard to Claim 1: Greiss discloses a cabin crew area of an aircraft comprising: an aft area (Column 4, lines 3-6: “aft galley 10 comprises an aft storage area 34, a starboard storage area 36, a port storage area 38 and a forward storage area 40.”) comprising a plurality of galley carts (42, Fig. 2), at least one galley storage unit residing in said aft area and storing said plurality of galley carts (34,36,38,40 Figs. 2 and 4), said galley storage unit having a fore/aft depth that is approximately equal to the depth of two or more of said plurality of galley carts (units 36 and 38 are aligned with the fore/aft axis of the aircraft such that 3 galley carts can be stored along this axis) and a main counter residing over said at least one galley storage unit and extending laterally across the cabin crew area of the aircraft, and coupled to and between a starboard wall and a port wall of the aircraft (Column 4, lines 41-55; Fig. 2: counters 57,58,59 form a continuous U-shaped counter that is coupled between the port and starboard walls of the aircraft).

Art Unit: 3644

4. With regard to Claim 5: Greiss discloses a cabin crew area as in claim 1 further comprising at Least one sectioning member (Fig. 4: there is a bulkhead forward of storage unit 40 separating the galley area from the main passenger cabin) separating said galley-servicing area (37, Fig. 2) from a passenger cabin (32, Fig. 2).
5. With regard to Claim 6: Greiss discloses a cabin crew area as in claim 1 further comprising at Least one Line replaceable structure coupled to said at Least one galley storage unit. ("refrigeration units" 60, Fig. 2)
6. With regard to Claim 8: Greiss discloses an aircraft having a cabin crew area (Column 4, lines 3-6: "aft galley 10 comprises an aft storage area 34, a starboard storage area 36, a port storage area 38 and a forward storage area 40.") comprising: a galley-servicing area comprising; at Least one galley storage unit (34,36,38,40 Figs. 2 and 4) storing a plurality of galley carts (42, Fig. 2) and having a fore/aft depth that is approximately equal to the depth of two or more of said plurality of galley carts (units 36 and 38 are aligned with the fore/aft axis of the aircraft such that 3 galley carts can be stored along this axis); and a main counter residing over said galley storage unit, extending Laterally across the cabin crew area of the aircraft, and coupled to and between a starboard wall and a port wall of the aircraft (Column 4, lines 41-55; Fig. 2: counters 57,58,59 form a continuous U-shaped counter that is coupled between the port and starboard walls of the aircraft).
7. With regard to Claim 12: Greiss discloses an aircraft as in claim 8 further comprising at Least one sectioning member separating a passenger compartment from the galley-servicing area (Fig. 4: there is a bulkhead forward of storage unit 40

Art Unit: 3644

separating the galley area from the main passenger cabin) separating said galley-servicing area (37, Fig. 2) from a passenger cabin (32, Fig. 2).

8. With regard to Claim 14: Greiss discloses an aircraft as in claim 12 further comprising a stairway (44, Figs. 2 & 4), said at Least one section member coupled between said stairway and at Least one of said starboard wall and said port wall (Fig. 2: the bulkhead extends to the wall opposite the stairway).

9. With regard to Claim 15: Greiss discloses an aircraft as in claim 8 further comprising a Line replaceable structure coupled to said at Least one galley storage unit. ("refrigeration units" 60, Fig. 2)

10. With regard to Claim 16: Greiss discloses an aircraft as in claim 15 wherein said Line replaceable structure comprises a Line replaceable unit that is selected from at Least one of a refrigeration unit, a chiller, an air conditioner, a flight control box, a storage box, an electronic box, and a black box. ("refrigeration units" 60, Fig. 2)

11. With regard to Claim 17: Greiss discloses an aircraft as in claim 15 wherein said Line replaceable structure resides in one of an overhead area, an overhead compartment area, a galley service area, an area ("refrigeration units" 60, Fig. 2 reside in the galley service area in overhead compartments above the galley carts 42)

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Greiss in view of Kull et al. "Kull" (U.S. Patent 5,491,979).

14. Greiss discloses the claimed invention except for a device that adjusts temperature of the galley carts.

Kull teaches a refrigeration unit (4, Fig. 2) for a plurality of galley carts (7A-7D, Fig. 2).

It would have been obvious for a person having ordinary skill in the art at the time of the invention to modify the galley of Greiss by incorporating a unit to adjust the temperature of the galley carts, because as Kull teaches, "food stuffs transported in trolleys are cooled on board an aircraft directly in the trolley" (abstract first sentence).

Allowable Subject Matter

15. Claims 4, 9-11, and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

16. With regard to Claims 4, 9-11: The prior art does not teach aircraft galley counters that are coupled to or extending in front of aircraft doorways.

17. With regard to Claim 13: The invention of Greiss does not have curtains, and one of ordinary skill would not have motivation to modify the invention with curtains. Although there are several prior art examples of curtain usage to separate areas in aircraft, none of these examples meet the limitations of Claim 8 from which 13 depends.

18. Claims 41 and 42 are allowed. The prior art does not teach aircraft galley counters that are coupled to or extending in front of aircraft doorways.

Response to Arguments

19. Applicant's arguments filed 09/20/06 have been fully considered but they are not persuasive.

Regarding the galley storage unit having a fore/aft depth of two or more galley carts, storage units 36 and 38 have fore/aft depths sufficient to store three galley carts (Greiss Fig. 4).

Regarding the countertop extending all the way across the aircraft and coupled to the port and starboard walls, counters 57,58,59 form a continuous U-shaped counter that extends across the aircraft between the walls (Greiss Fig. 2).

For the above reasons, independent Claims 1 and 8 are not allowable, and the species requirement is not withdrawn. Applicant has not argued with the rejection of the claims depending from Claims 1 and 8.

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Art Unit: 3644

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward J. Mayle whose telephone number is (571)-272-8969. The examiner can normally be reached on Mon-Fri 0830-1700.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teri Luu can be reached on (571)-272-7045. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Edward J. Mayle



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